

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA**

IN RE:)	
)	
WILLIAM BARRIER ROBERTS,)	CASE NO.: 18-83442-CRJ7
SSN: xxx-xx-9314)	
)	CHAPTER 7
Debtor.)	
_____)	

**RESPONSE IN SUPPORT OF TRUSTEE’S OBJECTION TO PROOF OF CLAIM 17
AND IN OPPOSITION TO SHANNAN LEAGUE ROBERTS’ MOTION
TO ALTER OR AMEND ORDER DISALLOWING CLAIM 17**

COMES NOW, Owen Roberts, in his capacity as personal representative of the estate of William Barrier Roberts, deceased, by and through his undersigned attorney and files this Response in support of the Trustee’s objection to Claim 17 submitted by Shannan League Roberts (“Ms. Roberts”), and in opposition to Shannan’s Motion to Alter or Amend, and says:

1. On or about September 10, 2021, the Trustee filed his Objection to Proof of Claim of Shannan League Roberts (Claims Doc. 17-1) [Doc. 499] (the “Objection”).
2. The Court entered an Order disallowing Ms. Robert’s claim on October 26, 2021 [Doc. 509] (the “Order”).
3. Subsequently, on November 9, 2021, Ms. Roberts filed her Motion (I) to Alter or Amend Order Disallowing Claim, or, in the Alternative, (II) for Reconsideration of Order Disallowing Claim [Doc. 511] (the “Motion”).
4. The Motion to Alter should be denied. The Motion raises nothing new. It is clear from the Motion that the Debtor and Ms. Roberts obtained an order from this Court on February 21, 2019, granting them relief from the automatic stay for the purposes of determining the division of marital assets and liabilities, which disposition of property was subject to the further orders of this Court [Doc 55].

5. The Motion makes it clear that, to the extent that there was an agreement between the parties arising from their divorce, that agreement was never approved by the Bankruptcy Court when the case was subsequently converted to Chapter 7 in June 2020.
6. It would now be improper to allow Ms. Roberts to assert a claim against the Chapter 7 bankruptcy estate predicated upon the claims arising during the marriage to William Barrier Roberts, deceased, which were not resolved despite the parties having ample opportunity to do so.

WHEREFORE, PREMISES CONSIDERED, for the reasons set forth in this Response, Owen Roberts respectfully requests that the Court deny Ms. Roberts' Motion to Alter or Amend [Doc. 511], and grant such further and additional relief as this Court deems just and proper.

Respectfully submitted on this the 30th day of November, 2021.

/s/ Kevin D. Heard

Kevin D. Heard

Of Counsel:

HEARD, ARY & DAURO, LLC
303 Williams Avenue SW
Park Plaza, Suite 921
Huntsville, Alabama 35801
Tel: (256) 535-0817
Fax: (256) 535-0817
kheard@heardlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of November, 2021, I served a copy of the foregoing **Response in Support of Trustee's Objection to Proof of Claim 17 and in Opposition to Shannan League Roberts' Motion to Alter or Amend Order Disallowing Claim 17** on the parties listed below by depositing the same in the United States Mail, postage prepaid and properly addressed, or via electronic mail at the e-mail address below, unless the party being served is a registered participant in the CM/ECF System for the United States Bankruptcy Court for the Northern District of Alabama, service has been made by a "Notice of Electronic Filing" pursuant to FRBP 9036 in accordance with subparagraph II.B.4. of the Court's Administrative Procedures as indicated below:

Notice will be electronically mailed to:

Richard M Blythe Richard_Blythe@alnb.uscourts.gov, courtmaildec@alnb.uscourts.gov
John J. Callahan, Jr jcallahan@callahanpc.com, croote@callahanpc.com
Evan Eberhardt eeberhardt@jandllawfirm.com
William M. Hancock bankruptcy@wolfejones.com, wmhancock@wolfejones.com
Justin B. Little jlittle@rllaw.com, blatham@rllaw.com
Stuart M Maples smaples@mapleslawfirmmpc.com, kmanning@mapleslawfirmmpc.com;
kpickett@mapleslawfirmmpc.com; dmaples@mapleslawfirmmpc.com; maples.stuartr106757@notify.bestcase.com
Kevin M Morris kevin@ssmattorneys.com, assistant@ssmattorneys.com
Christian Antonio Pereyda cpereyda@maynardcooper.com, cpereyda@maynardcooper.com
Andrew J. Shaver ashaver@bradley.com
Tazewell Shepard tshepard@ecf.axosfs.com, janelle@ssmattorneys.com
Tazewell Taylor Shepard, IV ty@ssmattorneys.com
Gary P Wolfe bankruptcy@wolfejones.com, wmhancock@wolfejones.com

Notice will not be electronically mailed to:

David R. Beasley
655 Gallatin Street
Huntsville, AL 35801

Blake Cantrell
Caldwell Banker of the Valley
7027 Old Madison Pike Suite 102
Huntsville, AL 35806

Edmond Denaburg
Christian & Denaburg, PC
2649 Rocky Ridge Lane
Birmingham, AL 35216

Walter A Dodgen
655 Gallatin Street
Huntsville, AL 35801

Lisa M. English
Callahan, PC
301 Washington Street
Suite 301
Huntsville, AL 35801

Jayna Partain Lamar
Maynard, Cooper & Gale, P.C.
1901 Sixth Ave North
Suite 2400
Birmingham, AL 35203

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541

/s/ Kevin D. Heard
Kevin D. Heard